

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby gives Notice of Intended Action to amend Chapter 8, "Executive Branch Lobbying," Iowa Administrative Code.

Iowa Code section 68A.504 prohibits lobbyists from making campaign contributions during the legislative session. The proposed amendments reflect that this prohibition includes a contribution that is mailed during the legislative session but received by the candidate after the legislative session has adjourned. The proposed amendments also reflect that, for purposes of this prohibition, a legislative session starts at 12 a.m. of the first day through 11:59:59 p.m. of the day that session adjourns sine die.

The proposed amendments do not contain a specific waiver provision but are subject to waiver under the provisions of 351—Chapter 15.

Any interested person may make written comments on the proposed amendments on or before December 23, 2008. Comments should be directed to Charlie Smithson, Iowa Ethics and Campaign Disclosure Board, 510 E. 12th Street, Suite 1A, Des Moines, Iowa 50319. Persons who wish to comment orally should contact Charlie Smithson at (515)281-3489.

These amendments are intended to implement Iowa Code section 68A.201(2).

The following amendments are proposed.

ITEM 1. Amend rule 351—8.15(68A), introductory paragraph, as follows:

351—8.15(68A) Campaign contributions by lobbyists during the regular legislative session prohibited. Pursuant to Iowa Code ~~Supplement~~ section 68A.504, individuals who are registered in Iowa as either executive branch or legislative branch lobbyists are prohibited from contributing to, acting as an agent or intermediary for contributions to, or arranging for the making of monetary or in-kind contributions to the campaign of an elected state official, member of the general assembly, or candidate for state office on any day during the regular legislative session. This prohibition includes a contribution that is mailed during the legislative session but received by the candidate after the legislative session has adjourned.

ITEM 2. Adopt the following **new** subrule 8.15(4):

8.15(4) Date of session. For purposes of Iowa Code section 68A.504 and this rule, a legislative session commences at 12 a.m. of the first day of the legislative session through 11:59:59 p.m. of the day that the legislative session adjourns sine die.

ITEM 3. Amend rule **351—8.15(68A)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code ~~Supplement~~ section 68A.504.